

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION**

Judy Roberts,

Plaintiff,

v.

Select Student Loan Help; and DOES 1-10,
inclusive,

Defendants.

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:
: Civil Action No.: 2:15-cv-01346
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:

: **COMPLAINT AND**
: **DEMAND FOR JURY TRIAL**
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For this Complaint, Plaintiff, Judy Roberts, by undersigned counsel, states as follows:

JURISDICTION

1. This action arises out of Defendants' repeated violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* (the "TCPA").
2. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b), in that the Defendants transact business in this District and a substantial portion of the acts giving rise to this action occurred in this District.

PARTIES

3. Plaintiff, Judy Roberts ("Plaintiff"), is an adult individual residing in Kenosha, Wisconsin, and is a "person" as defined by 47 U.S.C. § 153(39).
4. Defendant, Select Student Loan Help ("SSLH"), is a California business entity with an address of 3530 Wilshire Boulevard #690, Los Angeles, CA 90010-2464 and is a "person" as defined by 47 U.S.C. § 153(39).

5. Does 1-10 (the “Agents”) are individual agents employed by SSLH and whose identities are currently unknown to Plaintiff. One or more of the Agents may be joined as parties once their identities are disclosed through discovery.

6. SSLH at all times acted by and through one or more of the Agents.

FACTS

7. In May 2015, SSLH began calling Plaintiff’s cellular telephone, number 262-xxx-4503, in an attempt to solicit its services to Plaintiff.

8. At all times mentioned herein, SSLH called Plaintiff using an automatic telephone dialing system (“ATDS”) and using an artificial or prerecorded voice.

9. When Plaintiff answered calls from SSLH, she heard a prerecorded message instructing her to hold for the next available representative.

10. Plaintiff does not know how SSLH acquired her cellular telephone number. Plaintiff did not provide it to SSLH.

11. Plaintiff did not provide prior express consent to SSLH to place calls to her cellular telephone number.

COUNT I **VIOLATIONS OF THE TCPA – 47 U.S.C. § 227, ET SEQ.**

12. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

13. At all times mentioned herein, Defendants called Plaintiff on her cellular telephone using an ATDS and/or using a prerecorded or artificial voice.

14. Plaintiff never provided her cellular telephone number to Defendants and never provided consent to be contacted on her cellular telephone.

15. The telephone number called by Defendants was assigned to a cellular telephone service pursuant to 47 U.S.C. § 227(b)(1).

16. The calls from Defendants to Plaintiff were not placed for “emergency purposes” as defined by 47 U.S.C. § 227(b)(1)(A)(i).

17. As a result of each call made in negligent violation of the TCPA, Plaintiff is entitled to an award of \$500.00 in statutory damages for each call placed in violation of the TCPA pursuant to 47 U.S.C. § 227(b)(3)(B).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against Defendants:

- A. Statutory damages of \$500.00 for each violation determined to be negligent pursuant to 47 U.S.C. § 227(b)(3)(B);
- B. Treble damages for each violation determined to be willful and/or knowing pursuant to 47 U.S.C. § 227(b)(3)(C); and
- C. Such other and further relief as may be just and proper.

TRIAL BY JURY DEMANDED ON ALL COUNTS

Dated: November 10, 2015

Respectfully submitted,

By /s/ Amy L. Cueller

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